1 2 3 4 5 United States District Court WESTERN DISTRICT OF WASHINGTON Ат Тасома 8 KRISTI SMITH, No. 3:21-cv-05767-JHC 9 Plaintiff, **Stipulated Motion and Order to Dismiss** 10 Plaintiff's Fifth Cause of Action Regarding **Unlawful Wage Withholding** 11 CLOVER PARK SCHOOL DISTRICT NO. 400, 12 Defendants. Note on Motion Calendar: August 25, 2022 13 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Kristi 14 Smith, acting by and through her attorney, Eric D. Gilman, and the Defendant Clover Park 15 School District No. 400, acting through its attorneys Mark F. O'Donnell and Jason Harrington, 16 that per Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff's Fifth Cause of Action for 17 Unlawful Wage Withholding pled by Plaintiff in the above-entitled action, see Dkt. 2-3 at pp. 12-18 13 may be dismissed with prejudice and without costs. 19 Dated August 25, 2022 20 21 BECK CHASE GILMAN PLLC Preg O'Donnell & Gillett PLLC 22 By: /s/ Eric D. Gilman By: /s/ Mark F. O'Donnell Eric D. Gilman, WSBA No. 41680 Mark F. O'Donnell, WSBA No. 13606 23 eric@bcglawyers.com | D 253.289.5108 Jason Harrington, WSBA No. 45120 24 James W. Beck, WSBA No. 34208 Attorneys for Defendant james@bcglawyers.com | D 253.289.5122 25 Janelle E. Chase Fazio, WSBA No. 51254 janelle@bcglawyers.com | D 253.289.5136 26 Attorneys for Plaintiff 27 STIP. MTN. AND ORDER TO BECK CHASE GILMAN PLLC DISMISS CAUSE OF ACTION

No. 5 with Prejudice - 1 of 2

(No. 3:21-cv-05767-IHC)

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Tacoma, WA 98405

| l          | Order   |
|------------|---|
| 2          | THIS MATTER having come before the undersigned judge of the above-entitled Court,   |
| 3          | based on the foregoing stipulation, now, therefore,   |
| 4          | IT IS HEREBY ORDERED That Plaintiff's Fifth Cause of Action for Unlawful Wage   |
| 5          | Withholding against Defendant Clover Park School District No. 400 shall be dismissed with   |
| ó          | prejudice and without costs.  |
| 7          | DATED this 25th day of August, 2022.  |
| 3          | O $I$ $N$ $OL$  |
| 9          | THY HON. JOHN H. CHUN   |
| 10         | United States Judge   |
| 11         | Presented jointly by:   |
| 12         | BECK CHASE GILMAN PLLC  |
| 13         |   |
| <b>L</b> 4 | By: /s/ Eric D. Gilman Eric D. Gilman, WSBA No. 41680 eric@bcglawyers.com   D 253.289.5108 James W. Beck, WSBA No. 34208 james@bcglawyers.com   D 253.289.5122 Janelle E. Chase Fazio, WSBA No. 51254 janelle@bcglawyers.com   D 253.289.5136 Attorneys for Plaintiff |
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| 20         | Preg O'Donnell & Gillett PLLC   |
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| 22         | By: <u>/s/ Mark F. O'Donnell</u> Mark F. O'Donnell, WSBA No. 13606 Jason Harrington, WSBA No. 45120 Attorneys for Defendant   |
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|            | STIP. MTN. AND ORDER TO DISMISS CAUSE OF ACTION NO. 5 WITH PREJUDICE - 2 of 2  BECK CHASE GILMAN PLLC 705 S. Ninth St., Suite 305 Tacoma WA 98405   |

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